



Department of Justice

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CURRENT, FORMER U.S. SOLDIERS AND LAW ENFORCEMENT OFFICERS
AGREE TO PLEAD GUILTY TO PARTICIPATING IN BRIBERY
AND EXTORTION CONSPIRACY

WASHINGTON, D.C. – Acting Assistant Attorney General John C. Richter of the Criminal Division and Special Agent-in-Charge Jana D. Monroe of the FBI's Phoenix Field Office announced today that 16 current and former U.S. soldiers and law enforcement officers have agreed to plead guilty to participating in a widespread bribery and extortion conspiracy.

The criminal charges against the defendants arise from Operation Lively Green, an FBI undercover corruption investigation that began in December 2001.

In documents filed today in federal court in Tucson, Arizona, each defendant agreed to plead guilty to one count of conspiracy to enrich themselves by obtaining cash bribes from persons they believed to be narcotics traffickers. Those individuals were actually Special Agents from the FBI, and the defendants used their official positions to assist, protect and participate in the activities of what they believed was an illegal narcotics trafficking organization engaged in the business of transporting and distributing cocaine from Arizona to other locations in the southwestern United States.

In order to protect the shipments of cocaine, the defendants wore their official uniforms and carried their official forms of identification, used official vehicles, and used their color of authority, where necessary, to prevent police stops, searches, and seizures of the narcotics as they drove the cocaine shipments on highways that passed through checkpoints manned by the U.S. Border Patrol, the Arizona Department of Public Safety, and Nevada law enforcement officers. Many of the defendants also accepted additional cash bribes in return for recruiting other public officials they believed to be corrupt to further facilitate the activities of the fictitious narcotics trafficking organization.

According to court documents, all of the defendants escorted at least two shipments of cocaine from locations such as Nogales, Arizona and Tucson, Arizona to destinations which included Phoenix and Las Vegas, Nevada. The defendants pleading guilty today transported a total of over 560 kilograms of cocaine and accepted over \$222,000 in cash bribes as payment for their illegal activities.

In one instance, on Aug. 22, 2002, several of the defendants drove three official government vehicles, including two military Humvees assigned to the Arizona Army National Guard (AANG), to a clandestine desert airstrip near Benson, Arizona, where they met with a twin-engine King Air aircraft flown by undercover agents of the FBI. Those defendants, while in full uniform, supervised the unloading of approximately 60 kilograms of cocaine from the King Air into their vehicles. They then drove the cocaine to a resort hotel in Phoenix where they were

met by another undercover agent of the FBI, posing as a high-echelon narcotics trafficker, who immediately paid them off in cash.

In another instance, on April 12, 2002, defendant John M. Castillo, 30, while on duty as an inspector for the INS at the Mariposa Port of Entry located on the U.S. border at Nogales, Arizona, twice waved a truck he believed to be carrying at least 40 kilograms of cocaine through the border without being inspected. On or about Aug. 1, 2002, Castillo also sold an undercover FBI agent INS documents which fraudulently provided for the entry of undocumented aliens into the United States.

In addition to Castillo, the defendants who have agreed to plead guilty are:

- Robert L. Bakerx, 43, a Sergeant in the AANG;
- David M. Bustamante, 35, formerly a corrections officer with the Arizona Department of Corrections (ADOC);
- Joel P. Bustamante, 33, formerly a corrections officer with the U.S. Bureau of Prisons;
- Jorge A. Calzadillas, 22, a private first class in the AANG;
- Demian F. Castillo, 33, a specialist first class with the AANG;
- Mark A. Fillman, 55, formerly a specialist first class with the AANG;
- Jimmy L. Ford, Jr., 29, formerly a corrections officer with the ADOC;
- Guillermo German, 36, formerly a corrections officer with the ADOC;
- Angel S. Hernandez, 31, formerly a sergeant in the United States Army;
- Moises Hernandez, 21, a Private in the AANG;
- Leslie B. Hidalgo, 24, a Private First Class in the AANG;
- John F. Manje, 36, formerly a sergeant in the AANG and formerly a corrections officer with the ADOC;
- Gladys C. Sanchez, 24, formerly a corrections officer with the ADOC;
- Angel M. Soto, 41, formerly a corrections officer with the ADOC;
- Phillip Varona, 22, formerly an officer with the Nogales, Arizona Police Department.

“Now more than ever, it is critically important that those on the front lines of our nation’s borders remain uncorrupted,” said Acting Assistant Attorney General Richter. “A corrupted border creates a grave threat to the national security of this country. We will continue to work to ensure that those employed to protect our homeland do not sell their offices and badges to the highest bidder.”

“The actions of those charged in this investigation should not reflect upon the integrity of the agencies that once employed them, nor should it be a reflection upon the honorable men and women who continue to serve within their ranks,” said Special Agent-in-Charge Monroe. “We also want to commend these agencies for their partnership as they remained focus on their mission to serve and protect the American public.”

The conspiracy charge carries a maximum penalty of five years in prison and a \$250,000 fine. The defendants are expected to enter their pleas in federal court in Tucson beginning at 4 P.M. PT today before Magistrate Judge Charles R. Pyle. Each defendant has agreed to cooperate in this ongoing investigation.

These cases are part of a joint investigation being conducted by the Southern Arizona Corruption Task Force (SACTF), which is comprised of the FBI, the Drug Enforcement Administration, the Bureau of Immigration and Customs Enforcement, and the Tucson Police Department. Though not part of the SACTF, the Arizona National Guard, Air Force Office of Special Investigations, Defense Criminal Investigative Service, and the Criminal Investigation Division of the Internal Revenue Service are also participating in the investigation. The cases are being prosecuted by Senior Trial Attorney John W. Scott of the Public Integrity Section of the Criminal Division, U.S. Department of Justice, headed by Section Chief Noel L. Hillman.

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